

Remarks/Arguments:

Claims 1, 2 and 4-10 are pending and stand rejected. Claims 1, and 5-8 are rejected under 35 U.S.C. § 103 as being unpatentable over Vassal [EP 0479634], and claims 2, 4, and 9-10 are rejected under 35 U.S.C. § 103 as being unpatentable over Vassal [EP 0479634] in view of Eichler [147].

Applicant respectfully disagrees with the Examiner's conclusion that Claim 1, which is the only independent claim, is obvious over Vassal because the Vassal headlight differs structurally and functionally from the claimed invention. As such Vassal does not teach or suggest the claimed invention. Applicant further disagrees that, even in combination, Vassal [634] and Eichler [147] render the claimed invention obvious. For these reasons, elaborated below, the applicant requests reconsideration and withdrawal of the §103 rejections.

A. Vassal Does Not Teach Or Suggest What The Applicant Claims.

The Vassal reference discloses a headlight system comprising parabolic reflectors 5 and 6 (see column 3, lines 32 to 38). A parabolic reflector has, for practical purposes, only one focal point (at which the light source is located). The majority of light emanating from the light source reflects from the parabolic surface as a beam of approximately parallel light rays.

Applicant claims (as Claim 1) a motor vehicle light unit comprising: a reflector defining two focal regions, one focal region being an internal focal region and the other being an external focal region, the reflector having a defined surface of an approximate ellipsoid; a light source located in said internal focal region in such a way as to produce a pool of reflected light in said external focal region; and a lens in front of said external focal region for converting said pool of

light into a beam and for projecting said beam forward from the light unit, wherein the light unit further includes a filter movably positioned between the reflector and the lens, so that said filter is located downstream of the external focal region, the filter being opaque to visible light and transparent to only infrared light, and filter-carrying means mounting said filter for moving the filter between a first position out of the path of the light passing from the reflector to the lens, and a second position in which the filter intercepts a substantial part of said light passing from the reflector to the lens.

Applicant respectfully rejects the Examiner's contention that it is inherent for there to be two focal regions within the confines of a vehicle headlight. A parabolic reflector produces no downstream pool of light and thus does not need and has no convergent lens to convert such a pool into a light beam.

The configuration of the Vassal headlamp is not compatible with the ellipsoid reflector claimed by the applicant. The Vassal infrared/visible light filter (which enables the night vision feature) is not downstream of the second focal region as is the case for the claimed invention because with a parabolic reflector, the second focal region for practical purposes does not exist. Furthermore, the headlight illustrated in figure 2 of Vassal includes a front lens which merely protects the interior elements of the light unit whereas the lens 200 of the claimed invention focuses the pool of light produced by the approximately ellipsoid reflector at the second focal region into a beam. It is noteworthy that the Vassal lens, which lacks any optical properties, is not even referenced.

As shown above, the Vassal reference lacks and does not suggest several elements of the claimed invention, such that the rejection of claim 1 as obvious over Vassal is unfounded.

Since claims 5 through 8 depend directly or indirectly from claim 1, their rejection as obvious over Vassal is unfounded as well. Applicant requests reconsideration and withdrawal of the rejection of claims 1 and 5-8 as being unpatentable under 35 U.S.C. § 103 over Vassal [EP 0479634].

B. The combined references do not disclose or render obvious all the elements of the claimed invention.

The applicant respectfully contends that even if the Vassal and Eichler references were combined, they would not suggest the claimed invention to one skilled in the art.

As noted in the previous response of March 30, 2004, the configuration of the claimed invention provides a night vision headlight with a relatively small lens surface area, thus overcoming a disadvantage of related prior art. Pg.1 lines 10-17. Vassal, like the claimed invention, discloses a night vision headlight, but Vassal embodies and therefore clearly does not appreciate the disadvantage of a large front lens.

While Eichler is directed to the art of automobile headlights and has a small front lens, it is does not depict a second focal area of the reflected light and thus does not disclose the approximately ellipsoidal reflector of the claimed invention. See figure 2 of Eichler [147] which depicts the rays of light as neither parallel nor converging at a second focal point. Given the more scattered beam depicted by Eichler, there would be no motivation to combine Eichler with Vassal to produce a night vision headlight with a small front lens because neither reference

discloses the reflector shape necessary to achieve the desired result.

Since even when combined the cited references do not suggest the claimed invention, applicant respectfully contends that a prima facie case of obviousness has not been established. Reconsideration and withdrawal of the rejections of claim 2, 4, 9 and 10 under 35 U.S.C. § 103 as being unpatentable over Vassal [EP 0479634] in view of Eichler [147] is respectfully requested.

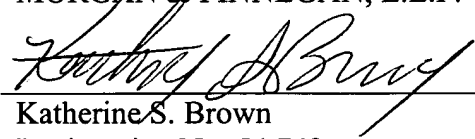
Conclusion

The applicant believes this application is in form for allowance and respectfully requests such allowance. If the Examiner feels that an interview would expedite such an allowance, the Examiner may contact the undersigned at 212 415-8715 to schedule such an interview.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1948-4752. **A DUPLICATE OF THIS SHEET IS ATTACHED.**

Dated: December 8, 2004

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.
By: 
Katherine S. Brown
Registration No. 54,742

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile



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3 World Financial Center
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